

REMARKS

In the Final Office Action¹ mailed June 10, 2009, the Examiner rejected claims 1-4 and 6-52 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,853,713 to Fobert et al. ("*Fobert*") in view of U.S. Patent No. 6,996,227 to Albal et al. ("*Albal*").

By this Amendment, Applicants amend claims 34 and 40-44, cancels claims 9-33 without prejudice or disclaimer, and adds new claims 53-64.

I. The Rejection of Claims 1-4 and 6-52 under 35 U.S.C. § 103(a)

Applicants respectfully traverse the rejection for at least the following reasons. Claims 9-33 have been canceled, rendering the rejection moot with respect to these claims.

A. Claims 1-4 and 6-8

Claim 1 recites, for example, a computer-implemented method comprising, among other things, "receiving, from a user, filter settings defining criteria for determining whether to add incoming calls to the address book ... wherein the filter settings are received from the user in advance of the incoming call" (emphasis added).

Fobert discloses a client terminal controller adapted to retrieve information about an incoming caller and convey the information to a client terminal user on a graphical display (*Fobert*, abstract). However, as conceded on page 3 of the Office Action, *Fobert* does not teach or suggest "receiving, from a user, filter settings defining criteria for

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

determining whether to add incoming calls to the address book ... wherein the filter settings are received from the user in advance of the incoming call" (emphasis added).

Albal discloses a method to store information in an address book by creating records of calls placed by a subscriber (*Albal*, abstract). Subscribers can add currently dialed or previously called telephone numbers to their address book (*Albal*, col. 5, lines 8-11). A preferred routine for adding previously called telephone numbers to the subscriber's address book includes creating call-detailed records ("CDRs") including telephone numbers for each call placed by the subscriber (*Albal*, col. 18-23). Once a CDR is created, a corresponding candidate number record ("CNR") is created if the telephone number is not already in the subscriber's address book (*Albal*, col. 5, lines 53-58).

The Final Office Action alleges that determining whether a telephone number is stored in a CDR corresponds to the claimed "filter settings" (Final Office Action at page 3). However, the claimed "filter settings defin[e] criteria for determining whether to add incoming calls to the address book" (emphasis added). In contrast, as discussed above, *Albal*'s CDRs store records of calls placed by the subscriber. Furthermore, the claimed "filter settings" are "receiv[ed] from a user." In contrast, *Albal* is silent as to receiving any filter settings from a user. At best, *Albal* merely discloses that the system determines not to create a CNR when the corresponding telephone number is already in the subscriber's address book, independently of any settings received from the subscriber (*Albal*, col. 5, lines 53-58). For at least these reasons, *Albal* does not teach or suggest "receiving, from a user, filter settings defining criteria for determining whether

to add incoming calls to the address book ... wherein the filter settings are received from the user in advance of the incoming call" (emphasis added).

Accordingly, no *prima facie* case of obviousness has been established with respect to claim 1. Claims 2-4 and 6-8 depend from claim 1, and are allowable at least due to their dependence.

B. Claims 34-52

Independent claim 34 recites, for example, a computer-implemented method comprising, among other things, "periodically updating the contact-related information stored in the address book, independently of communications between the user and the party" (emphasis added).

Fobert discloses a client terminal controller adapted to retrieve information about an incoming caller and convey the information to a client terminal user on a graphical display (*Fobert*, abstract). However, as conceded on page 8 of the Final Office Action, *Fobert* does not teach or suggest "periodically updating the contact-related information stored in the address book, independently of communications between the user and the party" (emphasis added).

As discussed above, *Albal* discloses a method to store information in an address book by creating records of calls placed by a subscriber by creating candidate number record ("CNR") when a subscriber dials a telephone number that is not already in the subscriber's address book (*Albal*, col. 5, lines 53-58). The Final Office Action relies on these features of *Albal* in addressing certain recitations of claim 34 (Final Office Action at page 8). However, in *Albal*, any "updating" of an address book by creating a new

CNR requires the subscriber to dial the telephone number that is added to the address book (*Albal*, col. 5, lines 53-58). Thus, any “updates” to *Albal*’s address book are not “independent[] of communications between” the subscriber and the called party, but rather triggered by and dependent upon the subscriber dialing the telephone number (*Id.*). Accordingly, *Albal* does not teach or suggest “periodically updating the contact-related information stored in the address book, independently of communications between the user and the party” (emphasis added).

Accordingly, no *prima facie* case of obviousness has been established with respect to claim 34. Claims 35-52 depend from claim 34, and are allowable at least due to their dependence.

II. New Claims 53-64

New independent claims 53 and 56 are allowable for at least similar reasons as discussed above with respect to independent claim 1, and new independent claims 59 and 62 are allowable for at least similar reasons as discussed above with independent claim 34. New dependent claims 54, 55, 57, 58, 60, 61, 63, and 64 are allowable due to their dependence from allowable base claims, as well due to as additional features recited therein.

III. Conclusion

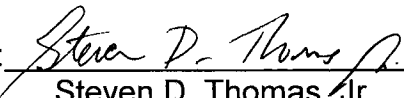
In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: September 2, 2009

By: 
Steven D. Thomas, Jr.
Reg. No. 64,421